

Merchants are forced to deal within this system because it is simply not an option to refuse to accept Visa or MasterCard from their customers. They are presented with take-it-or-leave-it options and are not part of the process by which the fees are set. Moreover, the card systems operate pursuant to comprehensive operating rules approved by the associations' member-controlled boards, but these operating rules are not accessible by the merchants.

This legislation is intended to give merchants a seat at the table in the determination of these fees. It is not an attempt at regulating the industry and does not mandate any particular outcome. This legislation simply enhances competition by allowing merchants to negotiate with the dominant banks for the terms and rates of the fees.

The bill creates a limited antitrust immunity for negotiating voluntary agreements and, if necessary, participating in the market-based proceedings. These market-based proceedings will determine the exclusive rates and terms merchants must pay for a 3-year term. No other fees, terms or conditions may be imposed on the merchants.

The rates and terms will be determined by Electronic Payment System Judges, who will be appointed by the Department of Justice Antitrust Division and the Federal Trade Commission. The judges will apply a market standard in their determinations designed to replicate the rates and terms of payment that would have been negotiated in a competitive marketplace between a willing buyer and willing seller, both of which have no market power. The judges will have full independence in making all determinations but may consult with the DOJ and FTC on certain matters.

It is time to level the playing field for merchants and consumers. I am hopeful that Congress can move to enact this worthwhile and timely legislation.

IN HONOR OF THE 25TH ANNIVERSARY OF PHEASANTS FOREVER

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mrs. BACHMANN. Madam Speaker, I rise today to celebrate more than a quarter century of work by Pheasants Forever volunteers to preserve habitat for pheasants and other wildlife.

Founded in St. Paul, Pheasants Forever has grown to 700 chapters and 110,000 members nationwide. More than 22,500 of those dedicated volunteers are Minnesotans. Pheasants Forever members have completed over 370,000 habitat projects, improving more than 5 million acres since 1982. In Minnesota, that translates into nearly 200,000 acres of preserved habitat.

The volunteers of Pheasants Forever are its lifeblood. It is a truly grassroots organization from its fundraising to its project development. Virtually all of the money raised by a chapter stays with that chapter, making Pheasants Forever one of the most efficient conservation organizations in the Nation.

These outdoor and conservation enthusiasts also spend much of their time and energy preparing the next generation of Pheasants For-

ever volunteers through its education programs. And, the results are outstanding, with youth membership growing nearly four-fold from 4,000 to 15,000 in just 7 years.

This weekend, hundreds to thousands of Pheasants Forever volunteers and supporters will gather for banquets in various locations in my Minnesota district. I commend these fine individuals—and their tireless leader, Howard Vincent of White Bear Lake, who has been an active part of Pheasants Forever for 20 years and president and CEO for the past 8 years—for their commitment to Minnesota's wildlife and natural beauty.

TRIBUTE TO NELDA C. AND H.J. LUTCHER STARK FOUNDATION

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. BRADY of Texas. Madam Speaker, I rise today to honor and congratulate the Nelda C. and H.J. Lutchter Stark Foundation on the reopening of Shangri La in Orange, TX.

In the 1930s, Lutchter Stark named his private gardens along Adams Bayou after the mythical mountain utopia in James Hilton's bestselling book, *Lost Horizon*. Hundreds of azalea bushes were planted along with other flowers and the gardens were sometimes open to the public and to birdwatchers. Shangri La drew thousands of visitors during those times.

Shangri La was closed in 1958 because of a devastating snowstorm that destroyed thousands of azaleas and the gardens remained closed for 40 years. In the book and later in a movie, a bell rings when a visitor enters Shangri La. The bell will once again ring on March 12, 2008 to announce that the 252 acre botanical garden and nature center is again open to the public.

Shangri La is a remarkable achievement and I predict that it will be a magnificent ecotourism attraction. It is divided into two sections—the designed botanical gardens that will have changing flowers with the seasons, and the nature center left in a natural state. Education is one of the main goals with various areas for learning for ages from pre-kindergarten to graduate university degrees.

Shangri La is the first complex in Texas, and only the 50th in the world, to be awarded the rare "platinum" rating by the U.S. Green Building Council. The rating recognizes the most ecologically "green" complexes in the world and is known as "LEED," for Leadership in Energy and Environmental Design. The president of the Council has said "Shangri La will be a showcase for high-performance, energy-efficient, healthy design, and an inspiration for others."

Buildings have been constructed using recycled materials, when available, and have been designed to be energy efficient. Thirty-six solar photovoltaic panels create electricity for the complex and its boats and carts. Boardwalks in the swamp are made of "boards" of recycled plastic and wood. A closed loop, geothermal heating and cooling system pumps water from an 800-foot-deep-well, allowing Shangri La to take advantage of the consistent temperatures deep within the earth. The roofing is designed to reflect heat and collect rainwater in large cisterns.

In 2005, Hurricane Rita devastated Shangri La at the beginning of its construction phase. Viewing the situation as an opportunity, the many fallen trees were incorporated into the construction of Shangri La facilities.

Madam Speaker, it is an honor to represent Orange, TX in the U.S. House of Representatives and I urge you to join me in congratulating Shangri La on its grand opening and their commitment to the environment and the community.

HONORING CHESTER ANDREW

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Chester Andrew, and the entire Andrew family, upon being honored with the "Friend of the Farm Bureau" award at the Third Annual Recognition Dinner to be held on March 6, 2008, at the Madera Municipal Golf Course.

Pete Andrew came to Madera, California, in the early 1900's from Greece. Mr. Andrew worked on a boat that frequently traveled into the San Francisco Bay ports. He decided not to get back on the boat and made his way to the central California town of Madera to begin his farming career. He met Agnes Oyler, they married and began farming beans and custom harvesting. They had two children, George and Lorraine, who helped with the farm and took over running the farm when the elder Mr. Andrew passed away.

George Andrew and his wife, Gladys, carried on the family's farming tradition. They had four children; Karen, Chester, Diane and Janice. Chester followed the path that was laid out for him, farming. Today, Chester and two of his three children still work on the family farm, with his oldest daughter farming in Washington. Andrew Farms currently focuses on almonds, grapes, pistachios and wheat.

For four generations, the Andrew family has been an important part of the Madera community. Three generations have attended the same elementary and high schools. Chester has been an active member of the Madera Farm Bureau Board for over twenty years. He served as president from 1992 to 1994 and continues to be a key member on many committees, including the scholarship committee and the water committee. He understands the importance of higher education for our future, and has even contributed to the scholarship funds with money out of his own pocket. On the water committee, Chester ensures that he is aware of the many different water issues that growers face. The Andrew family has been, and will continue to be, an important part in the Madera farming community and can truly be called a "Friend of the Farm Bureau".

Madam Speaker, I rise today to honor Chester Andrew, and the Andrew family, for the positive impact they have had in Madera County and the surrounding areas. I invite my colleagues to join me in congratulating the Andrew family and wish them continued success.